

Attached is version of the presently pending claims compared to the form of the claims existing prior to this Amendment and Response.

~~17.~~ A method of carving shapes in the shell of a pumpkin or other fruit or vegetable by driving a cutting die element into the shell of the pumpkin or fruit or vegetable by striking the die element with a striking tool, and further comprises steps of:

- 5           using a cutting die element having a serrated cutting edge; and  
              forcing a portion of the serrated cutting edge into an outer surface of the shell with finger pressure to hold the die element in position on the shell before striking the die element with the striking tool.
18.       A method as defined in claim 17 further comprising the steps of:  
              using a die element with tips on the serrated cutting edge; and  
              piercing the outer surface of the pumpkin shell with at least two of the tips of the serrated cutting edge to hold the die element in position prior to striking  
5       the die element with the striking tool.
19.       A method as defined in claim 17 further comprising the steps of:  
              using a die element having an upper striking edge;  
              applying impact force over substantially all of the upper striking edge simultaneously with each impact from the striking tool; and  
5       applying the impact force from a striking tool having a contact surface with a lateral dimension which is greater than a largest transverse dimension between opposite sides of the upper striking edge.
20.       A method as defined in claim 17 further comprising the step of:  
              applying impact force over substantially all of the upper striking edge with each impact from the striking tool, the contact surface of the striking tool having a lateral dimension which is greater than the majority of the largest  
5       transverse dimension between opposite sides of the striking edge.
21.       A method as defined in claim 17 further comprising the step of:

scraping a layer of material from an inner surface of the shell to reduce the thickness of the shell to an amount less than a height dimension between the cutting and striking edges of the die element.

22. A method as defined in claim 21 further comprising the step of: using a scoop and scraping tool to scrape the layer of material from the shell.

*738.* (Amended) A method of carving shapes in the shell of a pumpkin, fruit or vegetable which comprises driving a cutting die element through the shell by striking the die element with a striking tool, and further comprises steps of:

using a die element having a lower cutting edge and an upper striking edge;

applying impact force over substantially all of the upper striking edge simultaneously with each strike of the striking tool against the die element;

using a striking tool having an integral contact surface with a lateral dimension which is greater than a largest transverse dimension between opposite sides of the upper striking edge to apply the impact force; and

striking the striking tool against the die element to create each impact by moving the contact surface of the striking tool from a position spaced from the die element into contact with the striking edge.

24. A method as defined in claim 23 further comprising the step of: driving the die element into the pumpkin shell until the cutting edge passes through an inner surface of the pumpkin shell.

25. A method as defined in claim 23 further comprising the step of: removing a cut-out section of the shell which is surrounded by the die element after the die element is driven into the shell;

pushing the cut-out section into the interior of the pumpkin while the die element remains in the shell; and,

removing the die element from the pumpkin shell after the cut-out section has been removed from the die element.

*10*  
26. (Amended) A method of carving shapes in the shell of a pumpkin, fruit or vegetable which comprises driving a cutting die element through the shell by striking the die element with a striking tool, and further comprises steps of:

using a die element having a lower cutting edge and an upper striking  
5 edge;

applying impact force over substantially all of the upper striking edge simultaneously with each impact from the striking tool;

using a striking tool having a contact surface with a lateral dimension which is greater than a largest transverse dimension between opposite sides of the  
10 upper striking edge to apply the impact force; and

scraping a layer of material from the shell at an inner surface of the shell to reduce the thickness of the shell to an amount less than a dimension between the cutting and striking edges of the die element.

*11*  
27. (Amended) A method of carving shapes in the shell of a pumpkin, fruit or vegetable which comprises driving a cutting die element through the shell by striking the die element with a striking tool, and further comprises steps of:

using a die element having a lower serrated cutting edge and an  
5 upper striking edge;

applying impact force over substantially all of the upper striking edge simultaneously with each impact from the striking tool;

using a striking tool having a contact surface with a lateral dimension which is greater than a largest transverse dimension between opposite sides of the  
10 upper striking edge to apply the impact force; and

forcing a portion of the serrated cutting edge into an outer surface of the shell to hold the die element in position on the shell before striking the die element with the striking tool.

28. A method of carving shapes in the shell of a pumpkin, fruit or vegetable which comprises the steps of:

using a die element having a lower serrated cutting edge and an upper striking edge;

5 scraping a layer of material from the shell at an inner surface of the shell to reduce the thickness of the shell to an amount less than a dimension between the cutting and striking edges of the die element;

10 piercing the outer surface of the shell with the serrated cutting edge to hold the die element in position on the shell; and

15 forcing the die element into the shell until the cutting edge passes through an inner surface of the shell.

29. A method as defined in claim 28 further comprising the step of:

using a scoop and scraping tool to scrape the layer of material from the shell; and

removing a cut-out section of the shell which is surrounded by the die 5 element after the die element is forced into the shell.

*14* 30. (New) A method as defined in claim ~~28~~ further comprising the steps of:

using a cutting die element having a serrated cutting edge; and

5 forcing a portion of the serrated cutting edge into an outer surface of the shell with finger pressure to hold the die element in position on the shell before striking the die element with the striking tool.

*15* 31. (New) A method as defined in claim ~~30~~ further comprising the steps of:

using a die element with tips on the serrated cutting edge; and

5 piercing the outer surface of the pumpkin shell with at least two of the tips of the serrated cutting edge to hold the die element in position prior to striking the die element with the striking tool.

*16* 32. (New) A method as defined in claim ~~31~~ further comprising the step of: scraping a layer of material from an inner surface of the shell to reduce the thickness of the shell to an amount less than a height dimension between the cutting and striking edges of the die element.

*17* 33. (New) A method as defined in claim ~~32~~ further comprising the steps of:

using a cutting die element having a serrated cutting edge; and  
forcing a portion of the serrated cutting edge into an outer surface of  
5 the shell with finger pressure to hold the die element in position on the shell before  
striking the die element with the striking tool.

34. (New) A method as defined in claim ~~26~~ further comprising the steps  
of:

using a die element with tips on the cutting edge; and  
piercing the outer surface of the pumpkin shell with at least two of the  
5 tips of the cutting edge to hold the die element in position prior to striking the die  
element with the striking tool.

35. (New) A method as defined in claim ~~26~~ further comprising the step of:  
driving the die element into the pumpkin shell until the cutting edge  
passes through an inner surface of the pumpkin shell.

36. (New) A method as defined in claim ~~26~~ further comprising the step of:  
removing a cut-out section of the shell which is surrounded by the die  
element after the die element is driven into the shell.

37. (New) A method as defined in claim ~~26~~ further comprising the step of:  
removing the die element from the pumpkin shell after the cut-out  
section has been removed from the die element.

38. (New) A method as defined in claim ~~26~~ further comprising the step of:  
using a scoop to scrape the layer of material from the shell.

39. (New) A method as defined in claim ~~27~~ further comprising the steps  
of:

using a die element with tips on the serrated cutting edge; and  
piercing the outer surface of the pumpkin shell with at least two of the  
5 tips of the serrated cutting edge to hold the die element in position prior to striking  
the die element with the striking tool.

40. (New) A method as defined in claim ~~27~~ further comprising the steps  
of:

scraping a layer of material from an inner surface of the shell to reduce the thickness of the shell to an amount less than a height dimension

5 between the cutting and striking edges of the die element.

~~51.~~ (New) A method as defined in claim ~~40~~ further comprising the step of: using a scoop and scraping tool to scrape the layer of material from the shell.

~~52.~~ (New) A method as defined in claim ~~40~~ further comprising the step of: driving the die element into the pumpkin shell until the cutting edge passes through an inner surface of the pumpkin shell.

~~53.~~ (New) A method as defined in claim ~~42~~ further comprising the step of: removing a cut-out section of the shell which is surrounded by the die element after the die element is driven into the shell.

~~54.~~ (New) A method as defined in claim ~~40~~ further comprising the step of: removing the die element from the pumpkin shell after the cut-out section has been removed from the die element.

~~55.~~ (New) A method as defined in claim ~~28~~ further comprising the step of: removing a cut-out section of the shell which is surrounded by the die element after the die element is driven into the shell.

~~56.~~ (New) A method as defined in claim ~~45~~ further comprising the step of: removing the die element from the pumpkin shell after the cut-out section has been removed from the die element.

#### Remarks

This Amendment and Response is intended to fully respond to all of the issues raised in the office action mailed April 2, 2001. In that office action, a restriction requirement that had previously been made by telephone was repeated and affirmation of the telephone election was requested; a new title for the application was suggested; a request was made to amend the specification to provide antecedent basis for claimed subject matter; claims 17-19 were rejected under 35 USC 112 as indefinite because of an alternative expression; claims 23-25 were rejected under 35 USC 102(b) as anticipated by Nauman (4,296, 659); and